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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,743	10/16/2002	Kazukuni Hiraoka	PLM 1003-02US	9159

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EXAMINER

RADA, ALEX P

ART UNIT PAPER NUMBER

3714

DATE MAILED: 04/23/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.



# Office Action Summary

Application No.

10/042,743

Applicant(s)

HIRAOKA ET AL.

Examiner

Alex P. Rada

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/238,967.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .



## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because of failing to comply with 37 CFR 1.84 (n) and (o) Labeling of circuit elements of Figure 1. Correction is required.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Reference #6, which designates a line of sight sensor does not appear in Figure 1. Correction is required.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 5-6, 11-12, and 15-16 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The disclosure does not describe the particulars of the line-of-sight sensor and how it is used with respect to the claims. On page 9, 3<sup>rd</sup> full paragraph..." the player is tracked over the monitor 5 through the use of line-of-sight sensor 6..." is the only discussion of this element.

Regarding claims 5-6, 11-12, and 15-16, each of these claims further attempt to define a particular line-of-sight sensor. The disclosure does not elaborate on the function the line-of-sight sensor. What is a line-of-sight sensor? What is the function of the line-of-sight sensor with



Art Unit: 3714

respect to the claimed invention? No guidance is seen to reasonably instruct one of ordinary skill in the art to make and or use this aspect of the invention. No new matter added.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2 and 13 rejected under 35 U.S.C. 102(e) as being anticipated by Morioka '111 (Mori). Mori discloses a game machine having a memory device storing three-dimensional data related to a plurality of objects and a game program, a display (100), a processing device, (18) having a game program with three-dimensional data prospectively converting images in an animate manner, (see Abstract), a process in which close objects are partly focused to which further objects are blurred and the information that represents objects and colors are rendered and processed (column 1, line13 – column 3, line 38, at least) as recited in claims 1 and 13; the three-dimensional data having at least a plurality of polygon-apex information representing objects and color information corresponding to the individual polygons as determined by the polygon information and a plurality of objects located in the world coordinate system on the projection surface an the objects are processed at the time of the texturing mapping in which the color information is mapped on the polygons and blurring operations are performed according to the



Art Unit: 3714

depths of the objects as recited in claim 2 (column 1, line 41 – column 10, line 61 and figures 1-11).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-12 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morioka et al. (Mori) in view of Yoneda JP '794.

9. Mori discloses the claimed invention as discussed above except for the player choosing a specific object of the specific portion of the object as recited in claim 3; the focused objects is displayed in the center of the display as recited in claims 4 and 14; the specific object displayed or specific portion of the specific object determined as being in focus is set by the player through use of a line of sight and determine the basis of the position of the point of view of the player on a monitor screen as recited in claims 5-6 and 15-16; and the blurring operations constitute processing in which blurring is reflected on both the objects located nearer to the projection surface and the objects located deeper, relative to the specific object determined as being in focus of the specific portion of the object as recited in claims 7-12.

In a similar graphic processing system, Yoneda teaches the player choosing a specific object or the specific portion of the object, the focused objects being displayed in the center of the display, the specific object displayed or specific portion of the specific object determined as



Art Unit: 3714

being in focus is set by the player through use of a line of sight and determine the basis of the position of the point of view of the player on a monitor screen, and the blurring operations constitute processing in which blurring is reflected on both the objects located nearer to the projection surface and the objects located deeper, relative to the specific object determined as being in focus of the specific portion of the object. By having a specific object focused on while the surrounding area is defocused, one of ordinary skill in the art would be able to provide game players with added realism of depth perception in a game. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify Mori to include the player choosing a specific object or the specific portion of the object, the objects being displayed in the center of the display, the specific object displayed or specific portion of the specific object determined as being in focus is set by the player through use of a line of sight and determine the basis of the position of the point of view of the player on a monitor screen, and the blurring operations constitute processing in which blurring is reflected on both the objects located nearer to the projection surface and the objects located deeper, relative to the specific object determined as being in focus of the specific portion of the object as taught by Yoneda. To do so would provide game players with realistic imaging to a fast moving game like air-to-air combat game.

### *Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



Art Unit: 3714

Takahashi '545 discloses calculating a favorable playing environment in a video game by automatically providing an optimum viewpoint without placing a burden on the player.

Kajiwara EP '266 discloses altered viewpoints in a flight simulator in a combat situation using image processing method.


Sakamoto '192 discloses a specialized image effect in which near images are made to appear clearly while distant images are seen as blurred.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 703-308-7135. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

APR  
apr  
April 14, 2003

  
S. THOMAS HUGHES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700